IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18505 of 2007(C)

OS.171/2004 & OP (SUCCESSION) 55/04 of II ADDL.SUB COURT,TRIVANDRUM

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PETITIONER:

SUJATHA UCHIL, D/O A.K.UCHIL,
AGED 42 YEARS, "REJAN", PANANVILA, T.C.11/0303,
THIRUVANANTHAPURAM-15, NOW RESIDING AT
T.C.2/1362, OPP.VYDYUTHI BHAVAN, PATTOM,
TRIVANDRUM-4.

BY ADV. SMT.K.KUSUMAM

RESPONDENTS:

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1. SHERLY RAJAN, W/O K.G.RAJAN (LATE),
AGED 52 YEARS, VRA 137, MANNAMOOLA, PERURKADA,
THIRUVANANTHAPURAM.

2. RINO RAJ, S/O.K.G.RAJAN (LATE),
31 YEARS, RESIDING AT VRA137, MANNAMOOLA,
PERURKADA, THIRUVANANTHAPURAM, WORKING AS
DIRECTOR IN TATA.

3. SHERLY RAJ, D/O K.G.RAJAN (LATE),
AGED 29 YEARS, RESIDING AT VRA 137,
MANNAMOOLA, PERURKADA, THIRUVANANTHAPURAM.
NOW WORKING AS DOCTOR IN U.K.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.(C) No.18505 OF 2007 C
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Dated this the 15th June, 2007

J U D G M E N T

This writ petition is filed to call for the entire records relating to Ext. P4 judgment and to quash or set aside the entire trial conducted by the court below as well as the impugned judgment. The real prayer in the suit is to set aside the judgment passed by a competent court. One was an original suit and the other was a Succession O.P. In case of any defect in the disposal or dissatisfaction with the dismissal of the matter appropriate remedies are provided under the Civil Procedure Code and other enactments. Now the learned counsel for the writ petitioner submits that there was a direction by this Court to try and dispose of these two cases independently. I am not going into the merits of the writ petition for the reason that it is not for the court to quash a judgment passed by the Subordinate Court exercising jurisdiction under the

relevant provisions of the C.P.C. Therefore, I find that this writ petition is not maintainable and therefore dismissed.

M.N. KRISHNAN
JUDGE

jan/